

AARON D. FORD
Attorney General
MARIANA KIHUEN (Bar. No. 12241)
Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Avenue, Ste. 3900
Las Vegas, Nevada 89101
(702) 486-3792 (phone)
(702) 486-2377 (fax)
MKihuen@ag.nv.gov
Attorneys for Respondents

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LEE REED,

Petitioner,

vs.

CALVIN JOHNSON, *et al.*,

Respondents.

Case No.: 2:21-cv-00942-APG-EJY

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE
ANSWER TO REMAINING CLAIMS IN
PETITION FOR WRIT OF HABEAS
CORPUS (ECF NO. 1)
(FOURTH REQUEST)**

Respondents move this Court for an enlargement of time of 30 days from the current due date of February 6, 2023, up to and including March 8, 2023, in which to file their answer to the remaining claims in Lee Reed's Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 (ECF No. 1). This motion is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon the attached declaration of counsel. This is the fourth enlargement of time sought by Respondents for the answer and the request is brought in good faith and not for the purpose of delay.

DATED: February 3, 2023.

AARON D. FORD
Attorney General

By: /s/ Mariana Kihuen
Mariana Kihuen (Bar. No. 12241)
Deputy Attorney General

DECLARATION OF MARIANA KIHUEN

I, MARIANA KIHUEN, being first duly sworn under oath, deposes and states as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada and am employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I have been assigned to represent Respondents in *Lee Reed v. Calvin Johnson, et al.*, Case No. 2:21-cv-00942-APG-EJY, and as such, have personal knowledge of the matters contained herein.

2. This Motion is made in good faith and not for the purpose of delay.

3. The deadline to answer the remaining claims in Mr. Reed's petition is Monday, February 6, 2023.

4. I have been unable with due diligence to timely complete the answer herein.

5. I have been working diligently on this case and other Federal and State habeas petitions, including *Henry Williams Dempsey, Jr. v. State of Nevada*, Case No. 3:21-cv-00302-RCJ-CSD, *Raul Gonzales v. Calvin Johnson, et al.*, (Case No. 2:21-cv-02055-GMN-DJA), *Jesse Noble v. State of Nevada* (Case No. 83024), *Second Petition for Interstate Rendition of a Material Witness (Anthony Aragon)* (Case No. C-22-366960-P), *James Moore v. State of Nevada, et al.* (Case No. A-22-862564), *Carl D. Edwards v. State of Nevada, et al.* (Case No. A-22-857167-W), *Jared Adam Bailey v. State of Nevada, et al.* (Case No. A-22-860435-W), *Isaias Lopez v. State of Nevada, et al.* (Case No. A-22-860478-W), *Jordan Perrey v. State of Nevada* (Case No. A-22-860355-W), etc.

6. This week, a Senior Deputy Attorney General in our division announced her transfer to another division, which is scheduled to take place in mid-February. I will need additional time to seek final review and approval from a Senior Deputy Attorney General in the division as our division remains understaffed.

7. On February 2, 2023, I communicated with counsel for Mr. Reed via email regarding this extension. Mr. Christopher R. Oram did not object to this request.

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1 8. For the foregoing reasons, I respectfully request an enlargement of time of 30 days, up to
2 and including March 8, 2023, in which to answer to the remaining claims in Mr. Reed's petition.

3 Executed on February 3, 2023.

4 /s/ Mariana Kihuen
5 Mariana Kihuen (Bar No. 12241)

6 IT IS SO ORDERED:

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8 _____
9 UNITED STATES DISTRICT JUDGE

10 DATED: February 6, 2023
11 Case No.: 2:21-cv-00942-APG-EJY